

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

JASON MORTON,

Plaintiff,

Case No. 11-cv-12925  
HON. GEORGE CARAM STEEH

vs.

CITY OF DETROIT,

Defendant.

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ORDER REGARDING BRIEFING

The court conducted an in-chambers conference in this matter on February 20, 2013. At that conference, it was agreed that the defendant would provide a response to plaintiff's supplemental briefing (Doc. # 29). That response is due on or before March 8, 2013. Plaintiff may file a reply brief on or before March 15, 2013.

As discussed at the conference, the court is not inclined to find the certification of a class to be appropriate if that class includes members who received tickets under the subject ordinance in the context of more complex factual circumstances. As noted, a number of the individuals in the plaintiff's initial supplemental briefing were given tickets in the context of more complex factual situations, and are pursuing claims independent of the instant litigation. Accordingly, and at a minimum, the plaintiff's proposed class will require amendment for further consideration of the pending motion for class certification. The parties are encouraged to continue discussion of settlement along these lines.

The court will rule on the pending motion following the above-described briefing. The court will not hold a hearing and the motion will be submitted on the briefs, in accordance with E.D. Mich. LR 7.1(e)(2).

IT IS SO ORDERED.

Dated: February 22, 2013

s/George Caram Steeh  
GEORGE CARAM STEEH  
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on February 22, 2013, by electronic and/or ordinary mail.

s/Marcia Beauchemin  
Deputy Clerk